

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 22, 25 and 28 are currently being amended to correct minor grammatical errors, without affecting the scope of those claims.

No claims are currently being added or canceled.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 22-30 remain pending in this application.

Claim Rejections – Prior Art:

In the Office Action, claims 22-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,940,843 to Zucknovich et al. in view of Disclosed Prior Art (applicant's specification, pages 1-4) and Official Notice. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In Zucknovich et al., a research provider obtains information of companies, and makes that information available to users, who can then make financial decisions concerning one or more of those companies.

Neither the Disclosed Prior Art system described on pages 1-4 of the specification nor Zucknovich et al. teaches or suggests the checking of specific contracts between various entities, as specifically recited in the various steps or functions in the presently pending independent claims. Rather, in Zucknovich et al., a user who preliminarily registers for a service from a financial research provider is provided with pertinent information of that company, whereby no later checking of contracts between specific parties is made at later points in time in the system of Zucknovich et al.

On page 9 of the Office Action, in the “**Claim Rejections – Contracts**” section, it asserts that “such registration [of a user in the system of Zucknovich] is the establishment of a contractual relationship between the ASP and its users, and the ASP checks it prior to

allowing parties access to information of the ASP.” However, claim 22 recites a step of checking whether or not a target enterprise has a specific contract with the ASP, and claim 22 further recites a step of determining whether or not an accounting firm has specific contracts with the ASP and with a specific target enterprise; and still further claim 22 recites a step of determining whether or not a corporate rating business entity has specific contracts with the ASP and the specific target enterprise. These “three-way contract” determinations as recited in several steps of claim 22 are not taught or suggested by Zucknovich et al. or by the Disclosed Prior Art.

Thus, contrary to the assertion made on page 9 of the Office Action, the claims do claim the checking for the existence of contracts between various entities, whereby such features are not taught or suggested by Zucknovich et al.

Also, the presently pending independent claims recite the following features in which *an accounting firm can evaluate closing account details of said specific target enterprise and issue an electronic signature certifying the accuracy and appropriateness of said closing account details of said specific target enterprise, whereby that electronic signature is then stored with the information of the target enterprise.* On page 11 of the Office Action, it asserts that column 11, lines 41-55 of Zucknovich et al. teaches the use of electronic signatures for signing accounting reports. Applicant respectfully disagrees. Namely, column 11, lines 41-5 of Zucknovich et al. merely describes a mechanism whereby an authorization access level is assigned to different reports, whereby based on an authorization level of a requester, that requester is either allowed or not allowed to view a report. No electronic signature for certifying the accuracy and appropriateness of a document is taught or suggested in this portion of Zucknovich et al.

Since, at best, Applicant’s Disclosed Prior Art describes the use of a written certification that is provided by a certification company along with a report, and thus this does not rectify the above deficiencies of Zucknovich et al., the presently pending independent claims are patentable for these additional reasons.

Furthermore, in the present invention, since the current and live (e.g., non-publicly available) information generated directly from the business activities of a target enterprise can be directly obtained from the target enterprise by the corporate rating business entity, the corporate rating business entity can obtain very high level of trust corporate information about

the target enterprise. Thereby, the corporate rating business entity can provide a more accurate corporate rating about a target enterprise, as compared to conventional systems.

Still further, as was made in previously-filed responses, Applicant respectfully disagrees with the Office Action's use of ASPs with the purported combination of Zucknovich et al. and the Disclosed Prior Art. Please note that Applicant does not disagree with the Office Action's Official Notice statement concerning that an application service provider provides for management of use of applications, and that processing of information in a network environment is old and well known in the arts of information technology. However, Applicant does disagree with how the Office Action uses such a conventional use of ASPs with the purported combination of Zucknovich et al. and the Disclosed Prior Art.

As mentioned in the Background Section of the application, each enterprise may provide its proprietary information to an evaluator via a computer network, whereby there is no need to use an ASP for such a system. The fact that networks may have an ASP, by itself, is not enough for one skilled in the art to provide such a system to the Disclosed Prior Art system, since issues regarding security and the like become very prominent when proprietary information from different enterprises is stored at one location, and whereby security leaks and the like may occur, which would be disastrous to such a system.

Thus, to assert that an ASP would be used in a system as recited in the presently pending claims, given the security issues that would be involved in having such a system, amounts to improper hindsight reconstruction of the claimed invention. In other words, to assert that having an ASP for management and use of applications, without factoring in the major downside in that security issues resulting from sending important information of a company to a site in which competitors also have access to that site, clearly does not outweigh the negatives of having an ASP in such a network.

Accordingly, it is submitted that one of ordinary skill in the art, based on the standard knowledge of an ASP at the time the invention was made, would not utilize an ASP in such a network in which secure information is provided from multiple companies, since the dangers associated with someone obtaining that secure information either via the network communication lines and/or the ASP itself would strongly weigh against the use of an ASP in such a network.

Note that the presently pending claims recite respective specific areas of a storage means of an ASP in which information of respective target enterprises are stored, whereby such features provide an additional basis of patentability for the presently pending claims.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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